

REMARKS/ARGUMENTS

Responsive to the Official Action mailed October 7, 2003, applicants have amended the claims of their application in an earnest effort to place this case in condition for allowance. Specifically, independent claim 1 has been amended. Reconsideration is respectfully requested.

In response to the Examiner's Requirement for Restriction, applicants hereby affirm their provisional election to prosecute the claims of Group I, namely claims 1-6. This election has been made with traverse since it is believed that the claims of Group I and Group II are sufficiently closely related as to permit their consideration in this single application. In the event that the Examiner maintains her requirement, applicants respectfully reserve the right to file a divisional application to their non-elected claims.

In the Action, the Examiner objected to an inadvertent misnumbering in the application drawings. Together with this response, applicants are submitting a corrected drawing, whereby the processing drum illustrated in Figure 1 is identified by reference numeral 124. The application specification has been revised accordingly. It is believed that this objection can now be withdrawn.

In rejecting the pending claims under 35 U.S.C. §112, the Examiner objected to the claim scope, with reference to the teachings in applicants' specification of forming the present nonwoven fabric by hydroentanglement. Applicants have amended their pending claims to specifically recite that the nonwoven fabric employed in their disclosed

stretchable laminate comprises a fibrous matrix of *hydroentangled* staple length fibers. It is respectfully submitted that this rejection can now be withdrawn.

In the Action, the Examiner further rejected the pending claims under 35 U.S.C. §112, stating that "the specification only discloses that one coating composition is applied to the nonwoven web". This rejection is respectfully traversed.

It is respectfully submitted that applicants' disclosure plainly and clearly, and in full compliance with 35 U.S.C. §112, discloses to those skilled in the art that their stretchable laminate construct comprises a substrate of hydroentangled fibers which are treated with an elastomeric binder composition, with this treated construct thereafter coated with an elastomeric composition selected from the group consisting of polyurethane and polyvinylchloride (see page 3, lines 27 *et seq.*). The coating is disclosed as having a thickness of about 0.02 inches to about 0.125 inches.

At page 12, line 8 *et seq.*, the present application discloses:

In accordance with the present invention, the above-described nonwoven fabric is used as a substrate for a synthetic leather product, with the nonwoven fabric receiving a flexible coating selected from the group consisting of polyurethane and polyvinylchloride to impart a leather-like look, while obtaining a stretchable laminate that can provide properties of fit and conformability for applications where this can be a critical performance component. . . .

The nonwoven fabric substrate can be covered with the elastomeric compositions so that the composition has a basis weight from 10 g/m² to 240 g/m², with a thickness between 0.020 inches to 0.125 inches, depending on the application. The coating can be applied to the nonwoven

fabric substrate by extrusion or in accordance with other known application and coating techniques.

Thus, it is respectfully submitted that applicants' application clearly discloses the application of a leather-like elastomeric coating to the hydroentangled nonwoven fabric substrate which is treated with an elastomeric binder composition. It is believed this disclosure is consistent with applicants' claims, wherein the nonwoven fabric is described as comprising a fibrous matrix of hydroentangled staple length fibers, with the polymeric binder composition substantially uniformly applied thereto, and an elastomeric composition substantially uniformly applied to the nonwoven fabric, at a specified thickness.

In view of the foregoing, formal allowance of claims 1-6 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicants' attorneys, they may be reached at the number indicated below.

The Commissioner is hereby authorized to charge any additional fee which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

By 
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Application No. 10/078,038
Amendment dated December 5, 2003
Reply to Office Action of October 7, 2003

CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **December 5, 2003.**

A handwritten signature in black ink, appearing to read "A. D. G.", is written over a solid horizontal line.